Agenda Item	32
-------------	----

## **COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTERS	DATE _	August 16, 2006
MOTOR CARRIER MATTERS	DOCKET NO	2006-9-WS
UTILITIES MATTERS	_	

## SUBJECT:

DOCKET NO. 2006-9-WS - <u>Amendments to 26 S.C. Code Ann. Regs. 103-500 (1976 & Supp. 2004) – Wastewater Utilities and 26 S.C. Code Ann. Regs. 103-700 (1976 & Supp. 2004) – Water Utilities – Discuss this matter with the Commission.</u>

## **COMMISSION ACTION:**

Mr. Chairman, I move that the written report that is required under Section 1-23-111 of the South Carolina Code be issued with regard to the proposed changes to the Article 5 and Article 7 regulations. I further move that the report find that there is a need for the changes as proposed at the May 4, 2006 hearing by the Commission Staff, that the changes are reasonable, and that, with very few exceptions, to be stated herein, the changes are dictated by Act 175. In addition, Mr. Chairman, I move that the ORS-proposed changes to the retention of records provisions in Regulations 103-511 and 103-711 be adopted as being more reasonable than the originally proposed regulations, since the proposals are consistent with NARUC standards. In addition, I move that the word "commission" be added to Regulations 103-514(A) and (C), 103-714(A) and (C), and, also 103-571(C) and 103-771(C), since it is more reasonable for this Commission to be notified of service interruptions in addition to the Office of Regulatory Staff. I also move that we retain Regulation 103-535(O) as shown in our February 10, 2006 proposed regulations for the General Assembly as reasonable, since the statutory provision found in S.C. Code Ann. Section 27-33-50 only prohibits a landlord from being liable for a tenant's nonpayment of sewer charges in buildings with three or fewer tenants. Accordingly, a regulation is reasonably needed to govern the relationship of the landlord with the company in this area with regard to buildings with more than three tenants. Further, I move that we adopt the proposed changes in Regulations 103-512.3.3, 512.4.15, 517, 532.4, 535.1, 535 (A), 712.3.3, 712.4.A.15, 732.5, 735.1, 735 (A), 752 (b), and 763 as shown in the draft of the Regulations presented to us at the hearing on May 4, 2006. Lastly, Mr. Chairman, I move that the changes to Regulations 103-541 and 103-743 recommended by the Office of Regulatory Staff in its May 12, 2006 letter be rejected, since the Commission will review the information on loan agreements in Mr. Chairman, I do think that everyone who contributed to the discussion on these detail in rate cases. regulations should be complimented for their spirit of cooperation. In any event, I move that the report be issued and the regulations as modified above be declared promulgated by this Commission and then submitted to the General Assembly for approval.

MOTION YES NO OTHER APPROVED   APPROVED   APPROVED STC 30 DAYS   ACCEPTED FOR FILING   ACCEPTED FOR FILING   DENIED   AMENDED   AMENDED   TRANSFERRED   ADSENT SUSPENDED   ADSENT CANCELED   SET FOR HEARING   ADVISED   ADVISED	PRESIDING	Hamilton					
CLYBURN		MOTION	YES	NO	OTHER	APPROVED	
FLEMING DENIED   HAMILTON AMENDED   HOWARD TRANSFERRED   MITCHELL Absent   MOSELEY Absent   CANCELED   SET FOR HEARING   ADVISED   CARRIED OVER						APPROVED STC 30 DAYS	
HAMILTON	CLYBURN		$\boxtimes$			ACCEPTED FOR FILING	
HOWARD	FLEMING					DENIED	
MITCHELL	HAMILTON		$\boxtimes$			AMENDED	
MOSELEY	HOWARD		$\boxtimes$			TRANSFERRED	
WRIGHT SET FOR HEARING ADVISED CARRIED OVER	MITCHELL				Absent	SUSPENDED	
Session: Regular CARRIED OVER	MOSELEY				Absent	CANCELED	
Session: Regular CARRIED OVER	WRIGHT		$\boxtimes$			SET FOR HEARING	
-						ADVISED	
Time of Cossion 2,000 p.m. DECORDED BY IRC	Session: Regular			CARRIED OVER			
Tillie of Session 3:00 p.iii. RECORDED BY JBS	Time of Session	a 3:00 p.	m.			RECORDED BY	JBS